

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. TANNER JAMES BARRON, Defendant.	3:23-CR-30107-RAL REPORT AND RECOMMENDATIONS ON DEFENDANT'S CHANGE OF PLEA
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The above-captioned matter came on before the Court for a change of plea hearing on Thursday, February 29, 2024. Defendant, Tanner James Barron, appeared in person and by his counsel, Edward Albright , while Plaintiff, United States of America ("Government") appeared through Abby Roesler , an Assistant United States Attorney.

Defendant consented in open court to the change of plea before the Court and his consent was knowingly and voluntarily made. The Government likewise consented to the Court taking Defendant's plea. Further, the parties waived their right to object to the report and recommendation.

Defendant has reached a plea agreement with the Government wherein he intends to conditionally plead guilty to Count II and III as contained in the Indictment. Defendant is charged in **Count II** of the Indictment with Assault of an Intimate Partner by Strangulation in violation of 18 U.S.C. 1153 and 113(a)(8). At the hearing, Defendant was advised of the nature of the charge to which he would plead guilty and the maximum penalty applicable, specifically: 10 years custody; 250,000 fine, or both; 3 years

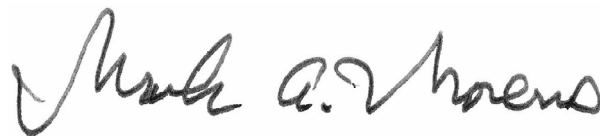
supervised release; 2 additional years imprisonment if supervised release is revoked on any such revocation; \$100 assessment; and restitution. Defendant is charged in **Count III** of the Indictment with Prohibited Person in Possession of a Firearm in violation of 18 U.S.C. §§ 922(g)(3), 924(a)(8), and 924(d). At the hearing, Defendant was advised of the nature of the charge to which he would plead guilty and the maximum penalty applicable, specifically: 15 years custody; 250,000 fine, or both; 3 years supervised release; 3 additional years imprisonment if supervised release is revoked on any such revocation; \$100 assessment; and restitution.

Upon questioning Defendant personally in open court, it is the finding of the Court that Defendant is fully competent and capable of entering informed conditional pleas, that he is aware of the nature of the charged offenses and the consequences of the conditional pleas, and that his conditional pleas of guilty to the offense contained in Count II and III of the Indictment are knowing and voluntary conditional pleas supported by an independent basis in fact containing each of the essential elements of the offenses. It is, therefore, the Court's recommendation that the conditional guilty pleas to Count II and III of the Indictment be accepted and that Defendant be adjudged guilty of those offenses.

It is further ORDERED that Defendant shall remain detained pending sentencing or until further order of a judicial officer of this District as previously ordered.

DATED this 29th day of February, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Mark A. Moreno", is written over a horizontal line.

MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE